

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 06-4064

Smith v. USA

To: Clerk

1) Notice of Death also Construed as Motion by to Amend Caption

The foregoing Motion is granted. Jill P. Smith, Co-Executor will be removed as a appellee. The caption will be amended to read:

SIDNEY E. SMITH, III, Executor of
the Estate of Sidney E. Smith, Jr., deceased

v.

UNITED STATES OF AMERICA,
Appellant

For the Court,

/s/ Marcia M. Waldron
Clerk

Dated: November 1, 2006
PDB/cc: Michael J. Haungs, Esq.
W. Patrick Delaney, Esq.